

## **REMARKS**

### **I. Introduction**

Claims 1-29 are pending in the application; claims 27-29 have been withdrawn from consideration. Claims 1-26 stand rejected. In the present Amendment, Applicant has amended claims 1, 6, 15, 21, 22, 25 and 26.

### **II. The Rejections Under 35 U.S.C. § 102(b)**

Claims 1, 2, 5 and 15-26 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,627,214 to Anderson et al. ("Anderson et al."). In the present Amendment, claims 1, 15, 21, 22, 25 and 26 have been amended to clarify that each of the drive shaft assemblies comprise a plurality of drive shaft sections each being coupled through a coupling mechanism to an adjacent drive shaft section for rotation in the frame and wherein each coupling mechanism is mounted to rotate with the plurality of drive shaft sections. Anderson et al. fails to disclose such feature. See, lines 3-5 of Paragraph No. 4 of the Official Action. Accordingly, Applicant submits that claims 1, 2, 5, 15, 21, 22, 25 and 26 are allowable over Anderson et al. It also follows that because claim 15 is allowable over Anderson et al., it also follows that claims 16-20 are also allowable.

Claims 23 and 24 each recite that "each of the drive shaft assemblies comprising a plurality of drive shaft sections each being releasably coupled to an adjacent drive shaft section for rotation in the associated frame". Anderson et al. fails to disclose such structure. Thus, Anderson et al. cannot anticipate claims 23 and 24.

### **III. The Rejections Under 35 U.S.C. § 103(a)**

Claims 3, 4 and 6 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Anderson et al. in view of U.S. Patent No. 5,888,268 to Bando ("Bando"). As was discussed above, and confirmed by the Examiner in the Official Action, Anderson et al. fails to disclose the recited plurality of drive shaft sections each being coupled through a coupling mechanism. Applicant respectfully submits that Bando also fails to disclose such features. Thus, without admitting that it would have been obvious to combine Bando with Anderson et al. and without acquiescing to any of the assertions in the Official Action concerning these references alone and/or in combination with each other, Applicant respectfully submits that even if they were properly combinable, they would not disclose the elements of claims 3, 4 and 6. Thus, Applicant traverses this rejection.

Claims 7-14 and 23 stand rejected under 35 U.S.C. § 103 as being unpatentable over Anderson et al. in view of U.S. Patent No. 5,637,068 to Chambers ("Chambers"). In response to this rejection, Applicant submits that Section 2143 of the *Manual of Patent Examining Procedure* ("MPEP") provides that the prior art must suggest the desirability of the claimed invention. MPEP §2143.01. Furthermore, "the proposed modification cannot render the prior art unsatisfactory for its intended purpose." *Id.* Also, the proposed modification cannot change the principle of operation of a reference. *Id.*

Anderson et al. discloses a slitting, scoring line that has a plurality of slitting assemblies that each have a motor that enables each slitting assembly to be adjusted along the box beam

Application No. 10/008,936  
Amendment dated May 24, 2004  
Reply to Office Action of March 2, 2004

**independently from** the other slitting assemblies. See, for example, column 5, lines 13-15 of Anderson et al. Chambers, on the other hand, discloses a saw assembly which includes saw blades that are attached to spacers that are arranged on an arbor to form a **unitary assembly**. One spacer or blade cannot be moved laterally on the arbor without moving all of the spacers and hence, all of the blades. Chambers provides:

The blades 32 are rotatably fixed to the sleeves and end nuts 36 secure the blades and spacers to the sleeves. The sleeves 30, spacers 34, edge easer blades 32 and end nuts 36 are secured together for removal from the arbor as a unit and are referred to herein as an edge easer blade assembly.

Column 3, lines 38-43 of Chambers. Chambers also provides:

Sleeves 46a and 46b are key fit to the arbor 42 and saw blades 48 and spacers 50 are mounted to the sleeve and fixed to the sleeve by end nuts 52. The sleeves 46 and spacers 50, saw blades 48 and end nuts 52 are secured together in the manner of the edge easer blade assembly.

Column 3, lines 51-55 of Chambers. Chambers further provides:

In assembly, a saw blade 108 is placed over the flange 116 of a center spacer, a pin 122 is inserted through a hole 124 in the blade and into an aligned hole 126 in the flange side of the spacer. The next spacer 110 is fitted with its inset nested into the flange 116 of the first spacer and abutted against the saw blade 108. A pin hole 128 in the inset side of the spacer is fitted to the pin 122. This process is repeated until all of the spacers and saw blades are assembled.

Column 6, lines 30-41 of Chambers. It is clear from the foregoing passages of Chambers that the saw blades are mounted to form a **unit** or “assembly”; one saw blade cannot be independently adjusted on the arbor relative to another saw blade.

Thus, if one were to incorporate the spacer/arbor arrangement of Chambers in the

Application No. 10/008,936  
Amendment dated May 24, 2004  
Reply to Office Action of March 2, 2004

Anderson et al. slitter, the important ability to individually adjust the position of each slitter assembly independently of each other would be destroyed. Such arrangement would prevent the ability to adjust the slitters to attain different widths of strip, without disassembling the blade assembly. Thus, there is no motivation to combine Chambers with Anderson et al. as asserted in the Office Action. Accordingly a *prima facie* case of obviousness has not been established with respect to claims 7-14 and 23 and it is improper to combine such references in an effort to reject any of the pending claims under 35 U.S.C. § 103(a).

#### **IV. Supplemental Information Disclosure Statement**

Enclosed is a Supplemental Information Disclosure Statement and accompanying Form PTO/SB/08A. Consideration of the references cited on that form is respectfully solicited. The PTO is hereby authorized to charge Deposit Account No. 11-1110 for any fee deficiencies associated with this Amendment and/or Supplemental Information Disclosure Statement.

#### **V. Power of Attorney**

Enclosed please find a 3.73(b) Statement for the subject application, revoking all previous powers and granting new powers in the undersigned and attorneys of the undersigned's firm. Please direct all future correspondence in connection with this application to the undersigned's attention as set forth on the 3.73(b) Statement.

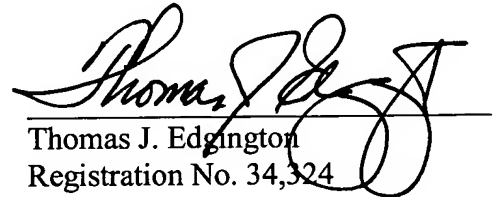
#### **VI. Conclusion**

Applicant has made a diligent effort to respond to the rejections presented in the Official Action and submits that all of the pending claims are in condition for allowance. Accordingly,

Application No. 10/008,936  
Amendment dated May 24, 2004  
Reply to Office Action of March 2, 2004

reconsideration and withdrawal of such objections and rejections and passage to allowance of all the pending claims are earnestly solicited. If the Examiner has any remaining concerns concerning the patentability of any of the claims, he is invited to contact the undersigned at the telephone number set forth below, so those concerns may be expeditiously addressed.

Respectfully submitted,



Thomas J. Edgington  
Registration No. 34,324

Attorney for Applicant

Kirkpatrick & Lockhart LLP  
Henry W. Oliver Building  
535 Smithfield Street  
Pittsburgh, PA 15222

(412) 355-8303